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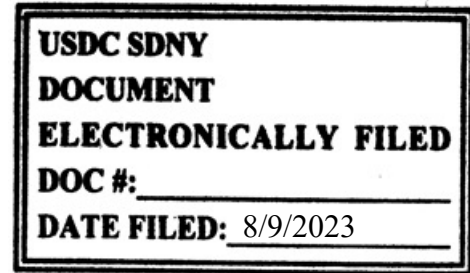
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August 9, 2023

Via ECF

Hon. Katharine H. Parker, U.S.M.J.  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007



Re: *Elizabeth Valdez v Broadway 10th Ave Realty Corp., 439 W. 202nd Street Realty Corp. and FLK Inc.; Docket No. 1:22-CV-03299 (ALC)(KHP)*

Dear Judge Parker:

We represent defendants Broadway 10th Ave Realty Corp. and 439 W. 202nd Street Realty Corp. (“Landlord Defendants”) in the above-entitled action. We write to provide the Court with an update as to defaulting Defendant FLK Inc. (“FLK”) and to respectfully request an adjournment of the settlement conference currently scheduled for tomorrow, August 10, 2023.

As Your Honor may recall, plaintiff commenced this action alleging violations of the Americans with Disabilities Act, and its state and local counterparts, based on the alleged inaccessibility of Sushi Mambo, a restaurant operated by FLK located at 431 West 202nd Street in New York County, New York (the “Premises”). Until today, FLK had failed to appear in the action.

At 12:20pm today, I received a call from Oscar Sanchez, Esq. an attorney who represents FLK. We discussed the status of the case and the upcoming settlement conference. Mr. Sanchez advised me that FLK is following up with their insurance and that he would be filing a notice of appearance to represent FLK in this action until defense counsel is appointed by FLK’s insurer. FLK’s counsel filed a notice of appearance at 2:37pm.

In light of FLK’s recent appearance, Landlord Defendants respectfully request an adjournment of the settlement conference currently scheduled for tomorrow, August 10, 2023. FLK is a critical and necessary party to this Action and all Parties would benefit from a global resolution of the action. We understand that this request is untimely under Your Honor’s Individual Rule I(c), but believe there is good cause since we only learned this afternoon that FLK would be

appearing and participating in the action. No prior requests have been made for the adjournment of the settlement conference.

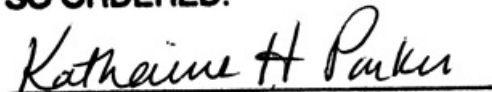
Thank you for your time and attention to this matter.

Respectfully submitted,

/s/

Jennifer M. Muller

**SO ORDERED:**

  
**HON. KATHARINE H. PARKER**  
**UNITED STATES MAGISTRATE JUDGE**

8/9/2023

The settlement conference scheduled for August 10, 2023 at 10:00 a.m. is rescheduled to **November 15, 2023 at 2:00 p.m.** in Courtroom 17-D, United States Courthouse, 500 Pearl Street, New York, New York.

Corporate parties must send the person with decision making authority to settle the matter to the conference. The parties are instructed to complete the Settlement Conference Summary Report and prepare pre-conference submissions in accordance with the Judge Parker's Individual Rules of Practice. Pre-conference submissions must be received by the Court no later than **November 8, 2023 by 5:00 p.m.**